

REMARKS

STATUS OF CLAIMS

Claims 1-26 and 32-47 are pending in the present application. Claims 5, 9-12, 18-19, 45-47 are withdrawn from consideration. Claims 1-4, 6-8, 13-17, 20-26, and 32-44 are rejected by the Examiner, and claims 37-38, 40 and 42 are objected to. In this Response, claims 1-49 have been cancelled. Claims 50-79 are new; no new matter has been added. Support can be found at least in the specification as originally filed.

ALLOWABLE SUBJECT MATTER

The Examiner objected to claims 37, 38, 40 and 42 as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following table shows the correspondence between new claims 50-79 and cancelled claims 1-26 and 32-47, showing the basis for the new claims. No new matter has been added.

New Claims	Previous Claims
50	1, 36 and 37
51	38
52	6
53	13
54	14
55	16
56	17
57	20
58	21
59	22
60	23
61	24
62	25
63	25
64	26
65	1, 39 and 40
66	42
67	6
68	13
69	14

New Claims	Previous Claims
70	16
71	17
72	20
73	21
74	22
75	23
76	24
77	25
78	25
79	26

New independent claim 50 combines the features of claims 1, 36 and 37 of record. New independent claim 65 combines the features of claims 1, 39 and 40 of record. The remaining claims depend directly or indirectly from claim 50 or 65 and incorporate the limitations thereof. The dependent claims are based only on previously presented or original claims that were not withdrawn from prosecution in view of a restriction requirement.

The Examiner indicated that claims 37, 38, 40 and 42 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form, including all the limitations of the base claims and any intervening claims.

New claim 50 corresponds to allowable claim 37. New claim 65 corresponds to allowable claim 40.

Thus, it is believed that all claims are now in condition for allowance.

REJECTIONS UNDER USC § 112

Claims 25-26 and 41 were rejected under 35 U.S.C. 112, second paragraph as allegedly being indefinite. The Examiner asserts that there is insufficient antecedent basis for "the biological sample" in claims 25 and 26. With the introduction of new claims 62-64 and 77-79, it is believed that this rejection has been obviated.

The rejection of claim 41 of record is moot in view of the cancellation of this claim. It does not have a counterpart in the amended claim set.

Reconsideration is respectfully requested.

REJECTIONS UNDER § 102 and 103

The rejections of claims as allegedly lacking novelty or being obvious are obviated by the amendment of the claims to recite subject matter indicated by the examiner as being allowable, as discussed above.

CONCLUSION

All rejections having been addressed, Applicants respectfully suggest that all claims are now allowable over the prior art of record and a Notice of Allowance is earnestly solicited. If the Examiner believes that a teleconference would be of value in expediting the allowance of the pending claims, the undersigned can be reached at the telephone number listed below.

It is believed that no fees are due at this time as the present Response is being filed within the three-month statutory period for response, on or before March 15, 2011. However, if any additional fees are necessary, the Commissioner is also authorized to charge or credit any such fees or overpayments, to Deposit Account No. 50-1901 (Reference #490352-3004/US).

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Respectfully submitted,

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By



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